

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:08-MJ-2036
V.)	Magistrate Judge Guyton
)	
BRANDON DALE HENSLEY,)	
)	
Defendant.)	

ORDER

This matter came before the undersigned for a preliminary hearing pursuant to Federal Rules of Criminal procedure, Rule 5.1 on May 14, 2008. Gregory Weddle, Assistant United States Attorney, was present on behalf of the government. Attorney Ruth Ellis was present representing Defendant Brandon Hensley (“Hensley”) who was present.

At the hearing, the United States presented the testimony of April Bradford, an investigator with the Knox County Sheriff’s Office (“Bradford”). Bradford testified to her role in the investigation of the alleged criminal activities leading to the arson charge lodged against Hensley. Hensley was charged by criminal complaint with violation of 18 U.S.C. 844(I), essentially an arson at his former workplace, Semperian Company (“Semperian”) [Doc. 1]. Bradford testified that she responded to a call at Semperian during the early hours of Sunday, May 4, 2008, after the building’s alarm system had activated at about 5:48 a.m. Bradford described that Semperian is subsidiary of the GMAC automobile financing concern. Bradford testified that Semperian performs service activities for automobile loans originating nationwide and overseas within the umbrella of GMAC financing. The building that houses Semperian is in Knoxville, Tennessee and consists chiefly of

a large area with over 200 cubicle workstations and some private offices.

Bradford testified that at the Semperian building she found evidence of fires that appeared to have been intentionally set using an accelerant. It also appeared that someone had shot into the building, primarily a human resources office, from the parking lot area. One of the fires, the most successful effort, was set on a desk inside that office. Bradford's testimony described damage to the desk itself, items on the desk and a nearby wall, in addition to the damage done by the shots fired into the office. Bradford testified that two of the intended fire sites had accelerant present along with spent matches, but no fire had actually ignited. In a fourth location, about two feet across, it appeared the accelerant had started a fire, but then went out before spreading.

Bradford testified that as the fire investigation continued through to the day, Hensley contacted authorities, through counsel, and arranged to turn himself for arrest as the person responsible for the fires. Bradford's testimony related the details of a dispute between Hensley and Semperian regarding the hours paid in his final paycheck from the company. Bradford also testified that Hensley arranged for police to pick up three guns from his apartment which are believed to have been used in connection to the fire. Bradford testified that evidence of gunshots was found in the human resources office and at the north entrance door, evidently to gain access to the building.

Defense counsel conducted thorough cross-examination of Bradford, but did not present evidence to rebut probable cause.

Based on the record presented at the preliminary hearing, the Court finds there is probable cause to believe the charged offense was committed and that it was committed by this defendant.

Accordingly, it is **ORDERED** that the Defendant Brandon Dale Hensley is therefore held to answer in the District Court.

IT IS SO ORDERED:

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge